

REMARKS

Claims 1-13, 15-33, 35-58 are pending, with claims 1, 30, and 56 being independent. Claims 14 and 34 have been cancelled. Claims 1, 15, 30-32, 35-36, 38, 41-46, 55-56 have been amended. Claims 57-58 have been added. Support for the amendments and the new claims may be found in the application at, for example, page 30, line 26 to page 31, line 9 and FIGS. 1 and 13-14. No new matter has been added.

Claim Rejections—Double Patenting

Claims 1-5, 12, 14, 16, 18-20, 22, 25, 28-36, 47-50, 53, and 56 have been provisionally rejected as obvious over claims 1, 8-11, 12, 25, 27-32, 36, 37, 42, 47, 48, 63, and 64, of co-pending Application No. 10/747,696. Without conceding obviousness, applicants respectfully request that this provisional rejection be held in abeyance until the claims of both this application and those in Application No. 10/747,696 are otherwise held to be allowable.

Claim Rejections—35 U.S.C. § 102

Claims 1-18, 28, and 29

Claims 1-18, 28, and 29 have been rejected under 35 U.S.C. § 102 as being anticipated by Werndorfer (U.S. Patent No. 7,275,215). Applicants respectfully request reconsideration and withdrawal of this rejection because Werndorfer does not describe or suggest concurrently enabling the second persona of the same user to be projected to a second of the identities, wherein the first persona is at least partially distinguishable from the second persona within the instant messaging communications service, projecting the first persona of the user to the first of

the identities, and concurrently projecting the second persona of the user to the second of the identities, wherein the first persona and the second persona are projected using the instant messaging communications service, as recited by amended independent claim 1.

Werndorfer discloses categorizing two or more instant messaging contact names into a single meta contact. *See* Werndorfer at Abstract. The two or more instant messaging names represent the same individual on two different services. *See* Werndorfer at col. 4, lines 59-62. The system selects one of the two or more instant messaging names to used based on a prioritization scheme based on the order in which the instant messaging names appear under the meta contact heading. *See* Werndorfer at col. 5, lines 45-47. Once one of the two or more instant messaging names is selected, an instant message is transmitted to the individual. *See* Werndorfer at Abstract.

Werndorfer differs from amended independent claim 1 for several reasons. First, Werndorfer does not describe or suggest sending a persona to another user, but merely discloses sending an instant message to another user. Resultantly, Werndorfer does not describe or suggest enabling the second persona of the same user to be projected to a second of the identities, wherein the first persona is at least partially distinguishable from the second persona within the instant messaging communications service.

Second, assuming, for sake of argument, that a user name of a message sending user is broadly construed to correspond to a persona of the sending user, Werndorfer does not describe or suggest the first persona being at least partially distinguishable from the second persona as the user name of the sending user does not change.

Third, Werndorfer does not describe or suggest projecting the first persona of the user to the first of the identities, and concurrently projecting the second persona of the user to the second of the identities, wherein the first persona and the second persona are projected using the instant messaging communications service. Rather, Werndorfer is directed towards creating a single meta contact for two or more instant messaging names representing the same individual on two different services.

Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of amended independent claim 1 and its dependent claims 2-18, 28, and 29.

Claims 30-46 and 56

Claims 30-46 and 56 have been rejected under 35 U.S.C. § 102 as being anticipated by Liles (U.S. Patent No. 5,880,731). Applicants respectfully request reconsideration and withdrawal of this rejection because Liles does not describe or suggest receiving a second message that includes a second text message and a second persona to be displayed by a second potential instant messaging recipient when perceiving the second message, the second persona being selected by the instant messaging sender system from among multiple pre-defined personas for the single potential instant messaging sender and being at least partially distinguishable from the first persona, each persona comprising a collection of one or more self-expression items and rendering the second persona at the instant messaging recipient system when rendering a portion of the second message, as recited by amended independent claim 30.

Liles differs from amended independent claim 30 for several reasons. First, in Liles, a participant may only select a single avatar to use in a chat session. As such, Liles does not

describe or suggest a second persona for the single potential instant messaging sender, who also has a first persona, because each participant only selects a single avatar.

Second, in Liles, a second potential instant messaging recipient does not view a second persona for the single potential instant messaging sender as a first potential instant messaging recipient views a first persona for the single potential instant messaging sender. Liles discloses that the other participants of a chat session view the same gesture of a selected avatar and, therefore, none of the participants of a chat session see a different avatar or a different gesture of the same avatar for the sending participant.

Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of amended independent claim 30 and its dependent claims 31-46.

Amended independent claim 56 recites receiving a second message that includes a second text message and a second persona to be displayed by a second potential communications recipient when perceiving the second message, the second persona being selected by the communications sender system from among multiple pre-defined personas for the single potential communications sender and being at least partially distinguishable from the first persona, each persona comprising a collection of one or more self-expression items and rendering the second persona at the communications recipient system when rendering a portion of the second message. For the reasons discussed above with respect to amended independent claim 30, applicants respectfully request reconsideration and withdrawal of the rejection of amended independent claim 56.

Claim 36

The Office Action contends that Liles discloses assigning a first persona to a first group of potential instant messaging recipients so that the first persona is thereafter automatically invoked and projected in an instant messaging communications session involving a member of the first group of potential instant messaging recipients and assigning a second persona to a second potential instant messaging recipient so that the second persona is thereafter automatically invoked and projected, in an instant messaging communications session involving the second potential instant messaging recipient, as recited in amended claim 36. *See* Office Action mailed October 9, 2007 at page 7, final paragraph. Applicants respectfully disagree. The cited section of Liles discloses that members of a chat session may be participants or spectators of the chat session. *See* Liles at col. 13, lines 18-22. The spectators receive the same gesture of a selected avatar as the participants, but are only limited in that the spectators cannot initiate gestures or transmit messages. *See* Liles at col. 13, lines 29-33. Thus, Liles does not describe or suggest assigning a first persona to a first group of potential instant messaging recipients and assigning a second persona to a second potential instant messaging recipient as a first persona is assigned to a first group of potential instant messaging recipients. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of amended claim 36.

Claim Rejections—35 U.S.C. § 103

Claims 19-27

Claims 19-27, each of which depend from amended independent claim 1, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Werndorfer. However, as

discussed above, Werndorfer fails to describe or suggest all of the subject matter of amended independent claim 1. Accordingly, at least because of their dependencies and the reasons noted above in connection with amended independent claim 1, applicants respectfully request reconsideration and withdrawal of the rejection of dependent claims 19-27.

Claims 47-55

Claims 47-55, each of which depend from amended independent claim 30, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Liles. However, as discussed above, Liles fails to describe or suggest all of the subject matter of amended independent claim 30. Accordingly, at least because of their dependencies and the reasons noted above in connection with amended independent claim 30, applicants respectfully request reconsideration and withdrawal of the rejection of dependent claims 47-55.

New Claims

New claims 57 and 58 recite that the first persona comprises at least one of a buddy icon, a wallpaper, an emoticon, and a sound and that the second persona comprises at least one of a buddy icon, a wallpaper, an emoticon, and a sound. Applicants submit that new claims 57 and 58 are allowable over the references of record, namely Werndorfer and Liles, at least because of their dependencies and the reasons noted above in connection with amended independent claims 1 and 30.

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Conclusion


Applicants submit that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The fee in the amount of \$460 in payment of a two-month extension of time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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